

03 C #5
CASE 4-30582C



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

SCHUPP ET AL.

APPLICATION NO: 10/014,717

FILED: NOVEMBER 13, 2001

FOR: GENES FOR THE BIOSYNTHESIS OF EPOTHILONES

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES

Sir:

In response to the Notice to Comply dated April 15, 2002, a copy of which is attached, response due within two months by June 15, 2002, kindly enter the following response.

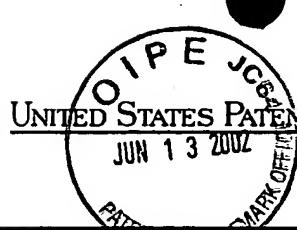
Request to Use First Filed Computer Readable Form

The paper copy of the Sequence Listing is identical to the computer readable copy of the Sequence Listing filed in Application No. 09/335,409, from which this application claims priority under 35 USC 120 through Application No. 09/568,472, which is the instant application's direct parent application. In accordance with 37 CFR 1.82(e), please use the only computer readable form filed in Application No. 09/335,409, which was also used in Application No. 09/568,472, as the computer readable form in the instant application. A paper copy of the Sequence Listing is included in the originally filed specification of the instant application.

Respectfully submitted,

George R. Dohmann
Attorney for Applicants
Reg. No. 33,593

Novartis Pharmaceuticals Corporation
Patent and Trademark Dept.
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/014,717	11/13/2001	Thomas Schupp	4-30582C/D6C

CONFIRMATION NO. 7406

001095
THOMAS HOXIE
NOVARTIS CORPORATION
PATENT AND TRADEMARK DEPT
564 MORRIS AVENUE
SUMMIT, NJ 079011027

FORMALITIES LETTER



OC000000007865743

Date Mailed: 04/15/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
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*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE